

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

VIRTAMOVE, CORP.,	§	Case No. 2:24-cv-00093-JRG
	§	(Lead Case)
Plaintiff,	§	
	§	
v.	§	<b>JURY TRIAL DEMANDED</b>
	§	
HEWLETT PACKARD ENTERPRISE	§	
COMPANY,	§	
	§	
Defendant.	§	

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VIRTAMOVE, CORP.,	§	Case No. 2:24-cv-00064-JRG
	§	(Member Case)
Plaintiff,	§	
	§	
v.	§	<b>JURY TRIAL DEMANDED</b>
	§	
INTERNATIONAL BUSINESS	§	
MACHINES CORP.,	§	
	§	
Defendant.	§	

**ORDER GRANTING DEFENDANT’S MOTION TO STRIKE OPINIONS OF  
VIRTAMOVE’S TECHNICAL EXPERT ERIC KOSKINEN**

Before the Court is Defendant International Business Machines Corp.’s (“IBM”) Motion to Strike Opinions of VirtaMove’s Technical Expert Eric Koskinen.

Upon consideration and for good cause shown, the Court GRANTS the Defendant’s Motion and ORDERS as follows:

1. Dr. Koskinen is prohibited from offering any opinions or testimony regarding alleged infringement by IBM Cloud Private or Hybrid Cloud Mesh. Paragraphs 199-218 of the Expert

Report of Eric Koskinen, served on June 23, 2025 (“Koskinen Infringement Report”) are stricken in their entirety. In addition, the portions of paragraphs 113, 237, 243, 247-248, 293-294, and 402 that discuss IBM Cloud Private or Hybrid Cloud Mesh are also stricken;

2. Dr. Koskinen is prohibited from offering any doctrine of equivalents opinions or testimony, and paragraph 245 of the Koskinen Infringement Report is stricken;

3. Dr. Koskinen is prohibited from offering any opinions or testimony that VirtaMove’s customers practice the asserted patent. Section 12 (including paragraphs 349-365) and Appendices 2 and 3 of the Koskinen Infringement Report are stricken;

4. Dr. Koskinen is prohibited from offering opinions or testimony regarding secondary considerations of non-obviousness beyond commercial success, long-felt need and failure of the others. Paragraphs 275-305 of the Koskinen Rebuttal Expert Report on Validity, served on July 14, 2025, are stricken.

**IT IS SO ORDERED.**